

**To:** Crossland, Ronnie[Crossland.Ronnie@epa.gov]  
**Cc:** Foster, Althea[foster.althea@epa.gov]; Barry, Michael[Barry.Michael@epa.gov]  
**From:** Ostrander, David  
**Sent:** Wed 9/23/2015 9:26:51 PM  
**Subject:** FW: Draft ARSG Letter to WQCC

Sam was asking about treatment to standards on the call today. I just wanted to send this to you so you get a feel for the complexity around water quality standards. We have done a detailed analysis on the impacts of treating the discharge or not on downstream locations. It is highly dependent on assumptions of watershed flow and other factors. I agree with Sam that we will need to develop some good explanations of what is happening in the rivers over time as we collect more monitoring data. It will be a challenge.

Thanks

**From:** Moon, Dave  
**Sent:** Wednesday, September 23, 2015 3:14 PM  
**To:** Hestmark, Martin  
**Cc:** Garcia, Bert; Stavnes, Sandra; Spence, Sandra; Ostrander, David; Way, Steven  
**Subject:** RE: Draft ARSG Letter to WQCC

Acute (1-day avg) chronic (30 day avg) and total recoverable (i.e., don't filter the sample to remove particulates)

**From:** Hestmark, Martin  
**Sent:** Wednesday, September 23, 2015 3:12 PM  
**To:** Moon, Dave  
**Cc:** Garcia, Bert; Stavnes, Sandra; Spence, Sandra; Ostrander, David; Way, Steven  
**Subject:** RE: Draft ARSG Letter to WQCC

What is (ac), (ch) and (Trec)?

**From:** Moon, Dave  
**Sent:** Wednesday, September 23, 2015 2:01 PM  
**To:** Hestmark, Martin  
**Cc:** Garcia, Bert; Stavnes, Sandra; Spence, Sandra; Ostrander, David; Way, Steven  
**Subject:** RE: Draft ARSG Letter to WQCC

8.							
7.	Mainstem of Cement Creek, including all tributaries, and wetlands, from the source to the confluence with the Animas River.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 3.7-9.0 E.Coli=126/100ml	CN(ac)=0.2 NO <sub>x</sub> (ac)=10 NO <sub>x</sub> (ac)=100	B(ch)=0.75	Cu As Be Cd Cr Th ma wa As
8.	Mainstem of Mineral Creek, including wetlands,		Recreation E	D.O. = 3.0 mg/l	CN(ac)=0.2	B(ch)=0.75	

**From:** Hestmark, Martin

**Sent:** Wednesday, September 23, 2015 1:57 PM

**To:** Moon, Dave

**Cc:** Garcia, Bert; Stavnes, Sandra; Spence, Sandra; Ostrander, David; Way, Steven

**Subject:** Re: Draft ARSG Letter to WQCC

Thanks Dave. Can you give us the numbers for cement creek too?

Sent from my iPhone

On Sep 23, 2015, at 1:50 PM, Moon, Dave <[Moon.Dave@epa.gov](mailto:Moon.Dave@epa.gov)> wrote:

Cement Creek has only agriculture and primary contact recreation use classifications. Also, numeric standards to protect those uses. It does not have any aquatic life protections. Of course, the numeric standards for agriculture are substantially higher concentrations compared to those for aquatic life, and there is no agricultural standard at all for total recoverable iron, mercury, or silver. The Animas between Cement and Mineral Creek has only a seasonal recreation use classification. No aquatic life use, and no agriculture use. The Animas between Mineral and Deer Park Creek has aquatic life cold 2, recreation, and agriculture uses, some table values, and some feasibility-based numeric standards (based on the 2001 UAA). The higher quality section of the Animas from Deer Park Creek down to Baker's Bridge has aquatic life cold 1 (diverse and sensitive), water supply, recreation and agriculture uses, a full set of table values, and is reviewable (tier 2 antidegradation requirements apply).

I spoke with Sarah Johnson yesterday, and WQCD plans to request that the ARSG submit more details to the WQCC for the Oct 13 hearing (what segments, what parameters, etc.). The feasibility-based standards now in place will be difficult to update because it is a complicated situation to tease apart, and projections about what is attainable are difficult

(for the folks developing the proposal, and also for the reviewers, of which there may be several, including EPA). One of my goals is transparency, so everybody understands the assumptions and how the updated criteria were calculated. That was one of the problems with the UAA developed by ARSG in 2001, from my perspective.

You can feel free to forward this info if you like. I checked the info against Colorado's current WQS rule for the San Juan basin (Regulation 34).

**From:** Hestmark, Martin  
**Sent:** Wednesday, September 23, 2015 11:54 AM  
**To:** Moon, Dave; Garcia, Bert; Stavnes, Sandra  
**Cc:** Spence, Sandra; Ostrander, David; Barry, Michael; Foster, Althea; Way, Steven  
**Subject:** RE: Draft ARSG Letter to WQCC

Thanks Dave. PS – what are the existing WQS on Cement Creek?

**From:** Moon, Dave  
**Sent:** Tuesday, September 22, 2015 10:47 AM  
**To:** Hestmark, Martin; Garcia, Bert; Stavnes, Sandra  
**Cc:** Spence, Sandra  
**Subject:** RE: Draft ARSG Letter to WQCC

Martin

I haven't spoken with ARSG, or the WQCD, but from the ARSG letter it appears they are interested in reviewing the WQS for the upper portion of the basin (down to Baker's Bridge). Several segments in the upper basin have numeric standards that were calculated, starting with the conditions that existed at the time (about 2001), and subtracting out loads (multiple sources) thought to be reversible via remediation. This method of deriving numeric wq criteria is of course different than what is typically done, but there are several examples where this approach has been used at Colorado mine sites (Eagle River, Willow Creek). Keep in mind that the rulemaking hearing (the end zone) is scheduled for June of 2017, and the purpose of the Issues Scoping hearing next month is to kick off the triennial review process.

It sounds like ARSG is planning to update the numbers, but there might also be proposals to revise use classifications (e.g., decisions about where aquatic life use protection is required).

Dave

**From:** Hestmark, Martin  
**Sent:** Tuesday, September 22, 2015 10:36 AM  
**To:** Garcia, Bert; Stavnes, Sandra  
**Cc:** Spence, Sandra; Moon, Dave  
**Subject:** RE: Draft ARSG Letter to WQCC

Do we have a sense of how they are proposing to revise these standards?

**From:** Garcia, Bert  
**Sent:** Tuesday, September 22, 2015 9:46 AM  
**To:** Hestmark, Martin; Stavnes, Sandra  
**Cc:** Spence, Sandra; Moon, Dave  
**Subject:** FW: Draft ARSG Letter to WQCC

FYI – ARSG proposing revisiting standards in Upper Animas Basin, for the June 2017 WQCC hearing.

Bert Garcia

Director, Ecosystems Protection Program

EPA Region 8

**From:** Wharton, Steve  
**Sent:** Tuesday, September 22, 2015 9:21 AM  
**To:** Spence, Sandra; Garcia, Bert  
**Cc:** Moon, Dave  
**Subject:** FW: Draft ARSG Letter to WQCC

Sandy & Bert – You may already know about this, but I wanted to make sure you saw the

attached letter. It would be good to coordinate on the October WQCC hearing mentioned in the letter.

Thanks,  
Steve

**From:** Wall, Dan  
**Sent:** Tuesday, September 22, 2015 7:34 AM  
**To:** Hestmark, Martin; Wharton, Steve  
**Cc:** Fagen, Elizabeth; Spence, Sandra  
**Subject:** FW: Draft ARSG Letter to WQCC

I wanted to make sure you all saw this.

**From:** Lewis, Brent [mailto:[b1lewis@blm.gov](mailto:b1lewis@blm.gov)]  
**Sent:** Tuesday, September 22, 2015 7:24 AM  
**To:** Schmittdiel, Paula; Wall, Dan; Fagen, Elizabeth; Way, Steven  
**Subject:** Fwd: Draft ARSG Letter to WQCC

Hey Everyone,

This is interesting. Why isn't EPA cc'd on this stuff?

----- Forwarded message -----  
**From:** Peter Butler <[butlerpeter2@gmail.com](mailto:butlerpeter2@gmail.com)>  
**Date:** Mon, Sep 21, 2015 at 11:43 AM  
**Subject:** Draft ARSG Letter to WQCC

**Personal Email/Ex. 6**

# **Personal Email/Ex. 6**

Cc: Peter Butler <[butlerpeter2@gmail.com](mailto:butlerpeter2@gmail.com)>

Dear Stakeholders – Attached is a draft letter to the Colorado Water Quality Control Commission (WQCC) for its upcoming Issues Scoping Hearing in Oct. WQCC holds two hearings prior to its basin rulemaking hearing which is on a five year cycle. In other words, every five years WQCC holds a rulemaking on standards in the San Juan and Dolores River basins.

The Issues Scoping Hearing is designed to meet the requirements of the Clean Water Act to review water quality standards every three years. It is short, perfunctory meeting that allows people to know who might be proposing what at the rulemaking hearing in June 2017. The hearing may last less than an hour, and the commission generally takes no action.

The next WQCC meeting on our basin will be the Issues Formulation Hearing in Nov. 2016 at which time WQCC will decide what issues it is willing to address at the rulemaking the next June.

If you have any questions or comments about the letter or process, please let me know. We will discuss it briefly at tomorrow night's meeting.

Peter Butler

970-259-0986

Cell 970-317-0584

--

Brent Lewis

BLM's Colorado State Office

Abandoned Mine Land Program Lead

2850 Youngfield Street

Lakewood, CO 80215

ph: 303.239.3711

email: [b1lewis@blm.gov](mailto:b1lewis@blm.gov)